

PROB 12B  
(7/93)

Report Date: March 28, 2006

**United States District Court**

**for the**

**Eastern District of Washington**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
(Probation Form 49, Waiver of Hearing is Attached)**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**MAR 31 2006**

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Alfredo Cuevas

Case Number: 2:02CR02208-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle

Date of Original Sentence: 5/7/2003

Type of Supervision: Supervised Release

Original Offense: Burglary of a Bank, 18 U.S.C. §  
2113(a)

Date Supervision Commenced: 6/17/2004

Original Sentence: Prison - 21 Months; TSR - 36  
Months

Date Supervision Expires: 6/16/2007

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

18. You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
19. You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
20. You shall participate in the home confinement curfew program until August 10, 2006. You are restricted to your residence every day from **6 p.m.** to **6 a.m.** or as directed by the supervising probation officer. You shall abide by all the requirements of the program, which **(X) will ( ) will not** include electronic monitoring, or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay.

Prob 12B

**Re: Cuevas, Alfredo****March 28, 2006****Page 2****CAUSE**

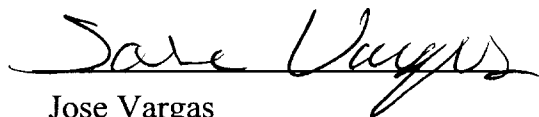
On February 21, 2006, the defendant quit his job at Washington Beef, and terminated his intensive outpatient treatment program at Merit Resource Services without contacting this officer. The defendant related that he wanted to leave the area due to an incident in which an individual, believed to be a gang member, fired several shots at him while he was walking home. After a brief discussion, the defendant agreed to file a police report and return to treatment immediately. On March 6, 2006, the defendant reentered treatment at Merit Resource Services.

On March 12, 2006, the defendant was arrested for driving under the influence. Mr. Cuevas reported to this officer on March 16, 2006, and admitted the aforementioned law violation. The defendant indicated he had consumed alcohol to excess, and as he was driving home, he ran off the road, and rolled his vehicle. The defendant expressed remorse and guilt for having violated his conditions of supervision and asked for an additional opportunity to follow through with treatment. As a result of his arrest for driving under the influence, Merit Resource Services personnel have closed his file and are referring him for inpatient treatment services.

As a corrective measure for the above-alleged violations, the defendant has agreed to participate in the home confinement program and follow through with an intensive inpatient treatment program. In addition, recent 9<sup>th</sup> Circuit case law requires the Court to specify a specific number of urine tests to be set. Enclosed is a waiver signed by the defendant agreeing to the above modification of his conditions of supervised release.

Respectfully submitted,

by



Jose Vargas

U.S. Probation Officer

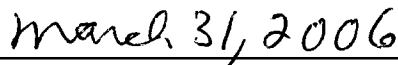
Date: March 28, 2006

**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
 FVS ☒ The Modification of Conditions as Noted Above  
☐ Other



Signature of Judicial Officer



Date